

UNITED NATIONS

ECONOMIC
AND
SOCIAL COUNCIL

PROPIEDAD DE
LA BIBLIOTECA



GENERAL

C. /

E/CN.12/576

10 March 1961

ENGLISH

ORIGINAL: SPANISH

ECONOMIC COMMISSION FOR LATIN AMERICA
Ninth Session
Caracas, May 1961

CORRECTIONS TO THE RULES OF PROCEDURE SUGGESTED BY THE
SECRETARIAT FOR THE PURPOSE OF ENSURING UNIFORMITY
IN THE ENGLISH, FRENCH AND SPANISH TEXTS

1. Careful comparison of the English, French and Spanish texts of the Terms of Reference and Rules of Procedure of the Economic Commission for Latin America, a recently published document, ^{1/} has revealed a few ambiguities of terminology and some lack of uniformity between these texts which are repeated over the years whenever they are reprinted.
2. These errors do not affect the substance of the texts, the application of which has not given rise to misinterpretation. However, it is felt that they should be brought to the notice of the Commission which, if it deems fit, might amend the more obvious inaccuracies. They all concern the Rules of Procedure and the Commission is empowered to correct them in accordance with paragraph 11 of its Terms of Reference as laid down by the Economic and Social Council.
3. The errors are listed below with a brief explanation in each case.

Rule 10

The words "Non-governmental" relating to organizations in category A have been omitted from the English text and should be inserted at the beginning of the first sentence which would then correspond to rule 6 of the Rules of Procedure of the Economic Commission for Asia and the Far East.

It is therefore suggested that the English text should read as follows:

"Non-governmental organizations in category A may propose items for the provisional agenda of the Commission subject to the following conditions:

"(a) An organization which intends to propose such an item shall inform the Executive Secretary at least sixty-three days before the commencement of the session and before formally proposing an item shall give due consideration to any comments the Executive Secretary may make;

"(b) The proposal shall be formally submitted with the relevant basic documentation not later than forty-nine days before the commencement of the session. The item shall be included in the agenda of the Commission if it is adopted by a two-thirds majority of those present and voting."

The French and Spanish texts remain unchanged.

^{1/} E/CN.12/544 (November 1960).

Rule 11

In the last paragraph the words "des membres qui participent officiellement" (French text) and "de los miembros que se hayan acreditado" (Spanish text) should be amended to read "des membres accrédités" and "de los miembros acreditados" respectively, in accordance with the English text (of the members accredited) which has the merit of conciseness.

It is therefore suggested that the French text should read as follows:

"Après adoption de l'ordre du jour, la Commission peut à tout moment l'amender.

"Au cas où un gouvernement membre n'aurait pas reçu, dans le délai de six semaines fixé par l'article 3, les rapports, travaux et documents qui devront être examinés à la session, il aura le droit de demander que les points auxquels se rapportent les dits rapports, travaux et documents soient exclus de l'ordre du jour, et la Commission devra faire immédiatement droit à cette demande.

"Sans préjudice de ce qui précède, si, la Commission étant saisie de la question, les trois quarts ou plus des membres accrédités à la session insistent pour que le point soit néanmoins discuté, la décision de cette majorité sera respectée."

and that the Spanish text should be worded as follows:

"Una vez que el programa haya sido aprobado, la Comisión podrá modificarlo en cualquier momento.

"Caso de que algún gobierno miembro no reciba, con la antelación de seis semanas prescrita en el artículo 3 que antecede, los informes, trabajos y documentos que habrán de ser considerados en el período de sesiones de que se trata, tendrá el derecho de solicitar que los temas a que se refieren tales informes, trabajos y documentos sean excluidos del temario, y así la Comisión deberá acordarlo tan pronto le sea solicitado.

"No obstante lo que antecede, si al someterse el asunto a la consideración de la Comisión, las tres cuartas partes o más de los miembros acreditados en el período de sesiones de que se trate insisten en que el tema de todos modos sea tratado, se respetará la decisión de esa mayoría."

The English text remains unchanged.

/Rule 26

Rule 26

The English text erroneously states "not be met and" instead of "not be met out of". The correct wording is contained in the original proposal of the Economic Commission for Asia and the Far East ^{2/} which led to the adoption of the rule during the eighth session.

It is therefore suggested that the English text should read as follows:

"Before new proposals which involve expenditure from the United Nations funds are approved by the Commission, the Executive Secretary shall prepare and circulate to members an estimate of that part of the cost involved in the proposals which could not be met out of the resources available to the secretariat. It shall be the duty of the Chairman to draw the attention of members to this estimate, and invite discussion on it before the proposals are approved."

The French and Spanish texts remain unchanged.

Rule 29

The last sentence of the Spanish text contains the expression "Si se apelare a" instead of the correct form "Si se apelare de" as in the rules of procedure of the Economic and Social Council (rule 49) and the Economic Commission for Asia and the Far East (rule 26), which may be deemed to be precedents for the Commission's rule.

It is therefore suggested that the Spanish text should read as follows:

"Durante la discusión de cualquier asunto, cualquier delegado podrá plantear cuestiones de orden, y en tal caso el Presidente decidirá inmediatamente si la cuestión planteada es o no precedente. Si se apelare de esta decisión, el Presidente someterá inmediatamente el caso a la Comisión, y la decisión prevalecerá a menos que sea revocada por la mayoría de los miembros."

The English and French texts remain unchanged.

Rule 34

In the second paragraph of the Spanish text reference is made to "mociones fundamentales" (substantive motions) which is clearly contradictory to the spirit of the rule, properly expressed in English (formal motions and French (motions d'ordre)). The Spanish text should be corrected to read "mociones de procedimiento", the term used in rule 31 of the Economic Commission for Asia and the Far East in which the corresponding paragraph is contained.

It is therefore suggested that the Spanish text should read as follows:

"A solicitud de cualquier miembro, cualquier moción o enmienda a la misma hecha por un orador será presentada por escrito al Presidente, quien la leerá antes de ponerla a consideración, después de lo cual la moción se pondrá inmediatamente a votación. El Presidente podrá ordenar que se distribuyan copias de cualquier moción o enmienda entre los miembros antes de ponerla en discusión o someterla a votación.

"Este artículo no se aplicará a mociones de procedimiento tales como el cierre o el aplazamiento de los debates."

The English and French texts remain unchanged.

Rule 53

The Commission's authority to establish "such subsidiary bodies as it deems appropriate", recognized in paragraph 10 of its Terms of Reference, seems to be restricted in the English text of this rule to "continually acting sub-commissions", which is quite contrary to the French (sous-commissions) and Spanish (subcomisiones). Hence, the words "continually acting" should be deleted in the English text.

It is therefore suggested that the English text should read as follows:

"The Commission may, after discussion with any specialized agency concerned and with the approval of the Economic and Social Council, establish such sub-commissions or other subsidiary bodies as it deems appropriate for facilitating the carrying out of its responsibilities and shall define the powers and composition of each of them. Such autonomy as may be necessary for the effective discharge of the technical responsibilities laid upon them may be delegated to them."

The French and Spanish texts remain unchanged.

Headings

The heading of Chapter X in the English (Publicity of meetings) and French (Publicité des séances) might be changed to "Public and Closed Meetings" and "Séances publiques et a huis clos" respectively. This would be strictly in accordance with the Spanish text (Sesiones públicas y sesiones a puerta cerrada) and would conform to current usage.

/The heading

The heading of Chapter XII should also be amended so that the suggested English and French texts (Sub-commissions, committees and other subsidiary bodies) and (Sous-commissions, comités et autres organismes subsidiaires) would conform to the Spanish (Subcomisiones, comités y otros órganos auxiliares) which follows a more logical sequence.

4. If the Commission concurs with the views of the secretariat as set out in the present note, its agreement would enable the secretariat to ensure inclusion of the suggested corrections in the next edition of the Terms of Reference and Rules of Procedure.